



MONTGOMERY COUNTY
ALCOHOL BEVERAGE SERVICES
DIVISION OF LICENSURE, EDUCATION AND
REGULATION

ALERT

ALCOHOL LAW ENFORCEMENT AND REGULATORY TRAINING

BEFORE WE START

I. Write your name on the chat box and your business' name.

I. Ex. “Roddy Aguirre – ABS”

BEFORE WE START

2. Make sure you click on the link after the training to ensure that you receive the certificate that you attended this ALERT training.
3. Link for form will be provided at the end of the ALERT training.

GOALS OF TODAY'S TRAINING

- Compliment the state certified server training
- Provide an overview of Montgomery County's Alcohol Beverage Services –ABS- and Board of License Commissioners –BLC-
- Review Montgomery County specific laws, rules and regulations
- Promote best practices related to responsible alcohol consumption
- Raise awareness about over service and underage drinking



WHY ARE WE HERE?

- Compliance Checks - 74% success rate in FY20.
- Nearly three out of every ten servers sold alcohol to a minor.
- In 2019 there were 3,253 alcohol related arrests in Montgomery County.*
- That breaks down to over 9 people arrested for every day of the year in Montgomery County for driving under the influence of alcohol.

*Washington Regional Alcohol Program (WRAP), 2020 How Safe Are Our Roads Report,
www.wrap.org.

ALCOHOL BEVERAGE SERVICES –ABS-

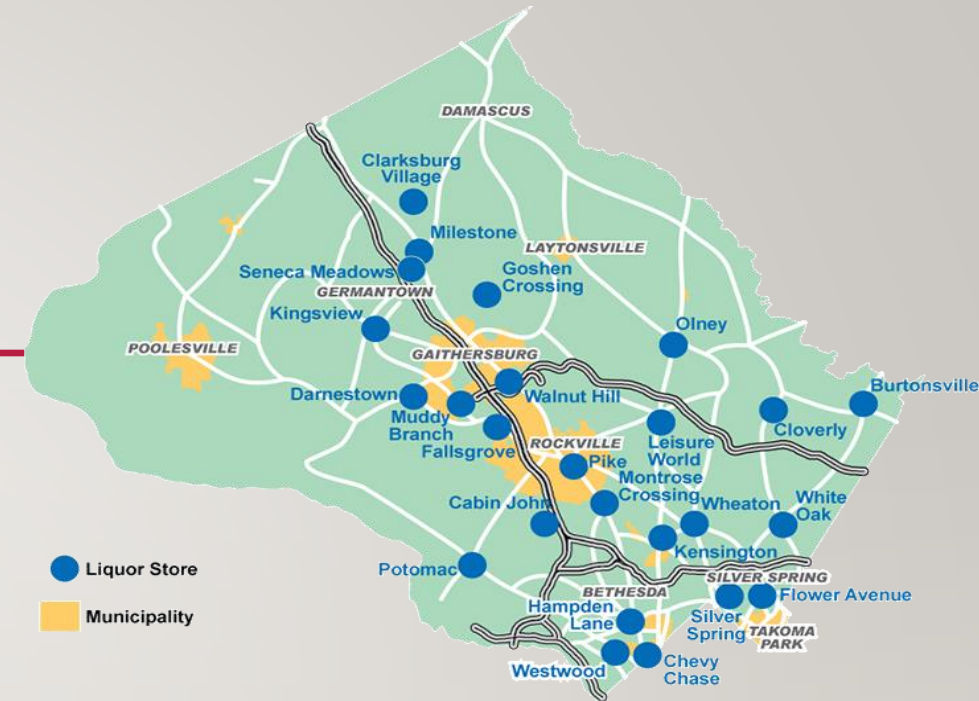
- Montgomery County, and 17 states, are control jurisdictions
 - Serve as the wholesale tier (one wholesaler per product)
 - Revenue generated goes back into the County General Fund – Over \$30 *million annually*
- Control the sale of distilled spirits, and in some cases wine and beer at the wholesale level
- ABS acts both as the wholesaler and retailer of alcohol in Montgomery County.



COUNTY RETAIL STORES

- 26 county retail stores
(Beer, Wine & Spirits)

- Stores are an extension of the ABS warehouse
- Search inventory online:
www2.montgomerycountymd.gov/abssearch



HOW TO REACH US

A
B
S



ommunication
enter

Call 240-777-1900

Monday - Friday 8:00 AM - 4:30 PM

Here for you!

Providing assistance and problem solving

- Connecting customers with ABS experts
 - Two-way communication

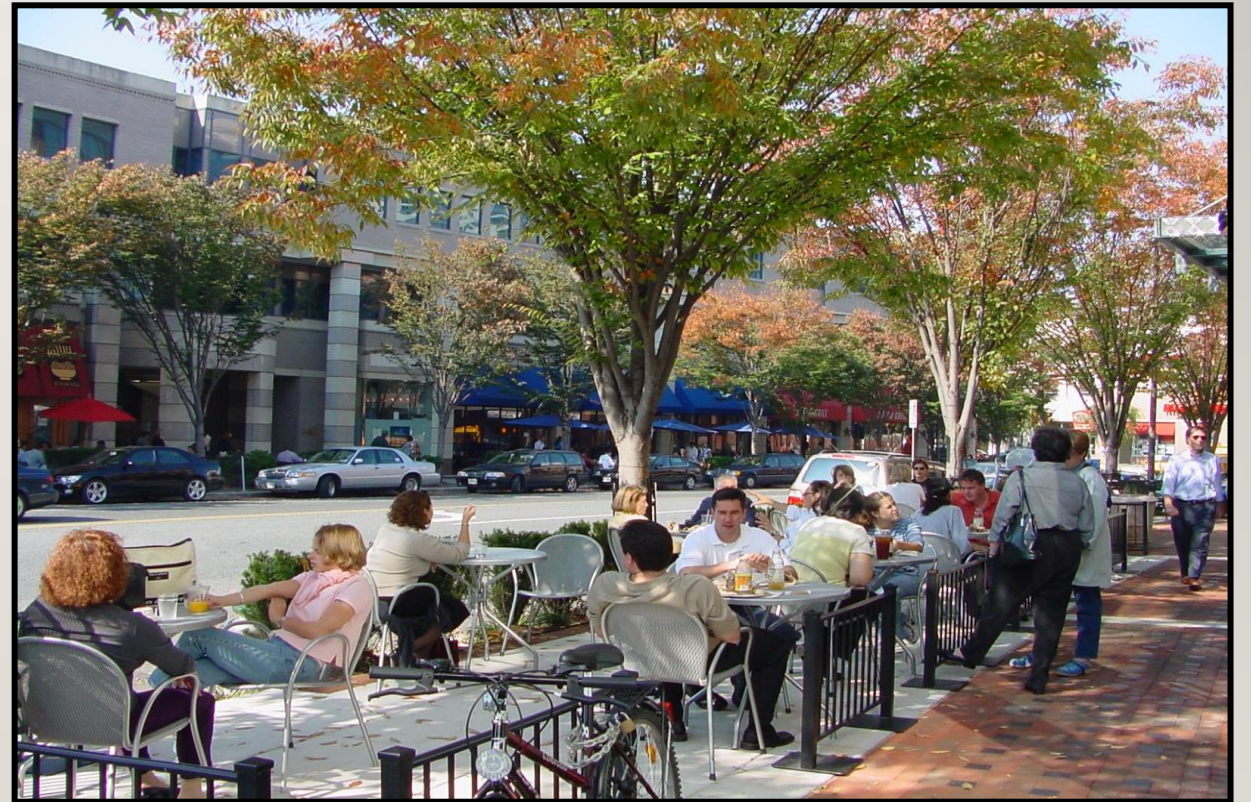
Proactive outreach on order status and product availability

- Measured responsiveness to customer inquiries

ABS@montgomerycountymd.gov

SECTION 2: ALCOHOL LICENSES & PERMITS

- There are 37 license types
- Pre-hearing & pre-license visits
- Ratio (Class B, BWL)
 - *60% alcohol/40% food*
- One Day Licenses
 - *Non-profits*



ALCOHOL LICENSE PRIVILEGES

Permits:

- Temporary Business Modification
- Catering (Class B BWL)
- Corkage (Class B, C, H)
- Tasting (Class A)
- Outdoor Café
- Growler/Crowler (Class B B/W, Class D B/W)



<https://www.montgomerycountymd.gov/ABS/licensure/license>

HOURS OF SERVICE/FOOD

A licensee may not allow after hours of alcohol sales/service.

- Hours are printed on your license and vary depending upon license class
- **Beer, Wine, and Liquor:** Sunday night thru Thursday night, all alcohol must be off tables by **2:00AM**, Friday and Saturday night, all alcohol must be off tables by **3:00AM**.
- **Beer and Wine:** All week all alcohol off tables by **2:00 AM**,
off sale stops at **1:00AM**
- *Even if the businesses is closed to the public.*
- Food must be available if alcohol is available.

SECTION 3:

ALCOHOL LAWS & REGULATIONS



SCENARIO QUESTIONS

1. A young man sits at the bar where I work and orders a beer. I think he looks old enough, so I bring it, set it down and go help another customer. Later a police officer approaches me and informs me the young man is 19. Problem?
2. A young woman comes in and orders wine. I'm supposed to check ID's according to my boss, but I can guess who is old enough. When I ask for her ID, she provides me with a vertical one. I glance at it and tell her she should get it changed but I still serve her. Later an alcohol inspector approaches me and points out that she is still under 21. Problem?

SCENARIO QUESTIONS

3. I'm having a beer while waiting for my friend at the XYZ bar. My friend calls and says she is waiting for me at ABC Restaurant across the street. I grab my beer and run across the street, to join her at ABC and sit at the table. Problem?
4. A young man sits down and orders a beer. When I come back with the beer, I ask to see his ID and upon checking it discover he is under 21. The beer has never left my hand. Violation?
5. As you are taking drink orders from a family, a young woman in the group orders a beer. When you ask for her ID, you discover that she is under 21. You refuse to serve her but an older woman in the group says she's her daughter and she will take full responsibility. Do you serve her?

COMPLIANCE CHECKS

Multi-agency program

- Under 21 sales
- Under 21 room service
- Keg registration
- Sales to intoxicated patron

ROUTINE INSPECTION CHECKLIST

What an inspector will be looking for...

- ✓ Alcohol license framed/visible
- ✓ Alcohol Awareness Certification/person on premises at all times during hours on license
- ✓ Records
- ✓ Source/storage
- ✓ Bar service and operations
- ✓ Minors employed
- ✓ Sales
- ✓ Gambling

LICENSES

- ✓ License in a frame and under glass
- ✓ Posted in location where the general public can **READ** the complete document



MARYLAND CERTIFIED ALCOHOL AWARENESS TRAINING

All alcoholic beverage licensed establishments are required by law to have a State approved alcohol awareness certified person on the licensed premise during all hours in which alcoholic beverages are sold.

- **Ex.**
 - **TAM, TIPS, RAM, MASTERS Program**



RECORDS

- ✓ Beer, Wine and Liquor Invoices
 - ✓ Available on premises at all times and maintained for 2 years.
- ✓ Employee Records
 - ✓ Available on premises at all times and unmaintained for 1 year after an employee leaves.

KEG REGISTRATION

All keg sales must be registered.

Your Responsibility:

- Order registration book: Comptroller's office, 410-260-6381
- Registration forms provided, keep on premises for 30 days
- Sticker affixed



UNAPPROVED SOURCE AND STORAGE

- ✓ All alcohol must come from the Montgomery County ABS warehouse, one of its 26 stores, or an authorized small winery, brewery or distillery.
- ✓ It is unlawful to store any alcoholic beverages other than those permitted under your license.
- ✓ Do not allow patrons to bring in alcohol (even as a gift). If you are given alcohol by a patron do not keep it on premises.

BAR AND SERVICE OPERATIONS

- ✓ Can't reuse or refill any bottle or other container of alcoholic beverages
- ✓ Can't adulterate, dilute, or fortify the contents of a bottle or container
- ✓ Alcohol bottles must have original labels affixed
- ✓ Infusion (NO CBD)
- ✓ Premix
- ✓ Under 21 employees can serve alcohol

BOTTLE SERVICE

- ✓ In Montgomery County, bottle service of distilled spirits is prohibited with exception of a private rented room.



OVER SERVICE

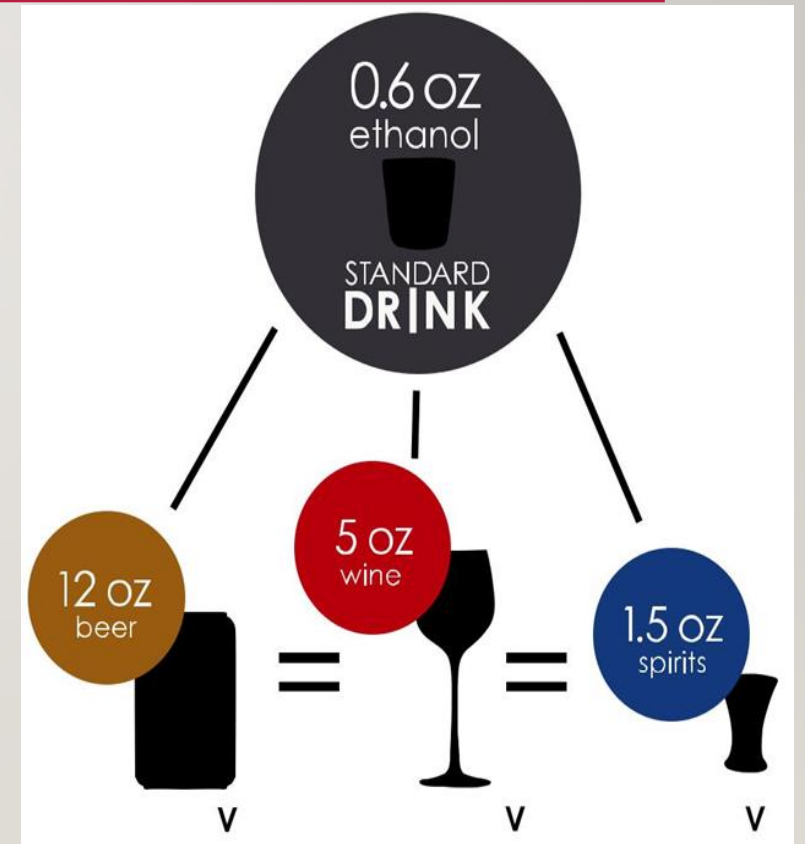
It is illegal to sell alcohol to:

- intoxicated individuals; or
- persons under 21 years of age
- **Disorderly Intoxication:** Maryland Alcohol Code, 6-320: Intoxicated person may not endanger the safety of another person or property or cause a public disturbance
- Call the police non-emergency line **301-279-8000** or 911 if lives are in danger



ALCOHOL TRENDS

Look out for product container sizes and variations in alcohol concentrations.



SIGNS OF INTOXICATION

Traditional

- Watery/bloodshot eyes
- Slurred speech
- Poor coordination
- Confrontational

Other Clues

- Frequent buyers
- Loitering
- Behavior changes

DOCUMENTATION

Maryland has common law (tort law) that requires servers/sellers to protect an intoxicated person from harming themselves or others. Must prove negligence.

- Incident log (bound book), keep records for 3 years
- Identify how it occurred
- Notify management
- Collect witness information, ask them to sign the document
- Police non-emergency number 301-279-8000; develop a relationship with local police



6,000 PEDESTRIANS ARE KILLED EACH
YEAR : 33 PERCENT WERE INTOXICATED

NTSB



DRINKING IN PUBLIC

A person may not drink any alcoholic beverage while:

- *(MD Alcohol Code: 6-321(b))*
- On public property unless authorized;
- In a parking lot open to the public in general;
- In a parked vehicle at the above locations.

NUDITY AND SEXUAL DISPLAYS

A licensee can not permit prostitution or lewdness on the premises.

- Any person to be nude or in clothing which exposes private parts
- Any performance or exhibition, including pictures, video, and electronic reproductions that simulate or depict sexual acts or nude dancing; or
- The placement of money on or about the person of any performer or entertainer

GAMBLING

A licensee will not allow licensed premises to be used for booking or gambling

- *Bingo & Raffle permits are issued by MC Permitting Services
240-777-6200*

If all three of the following are present, then it is gambling and it is prohibited:

- Pay to Play (includes purchase of food/beverage)
- A Game of Chance
- Eligible to win money or a prize (including chips for additional playtime when others must pay- constitutes value)

SECTION 4: BEST PRACTICES

Suggestions for Responsible Hospitality

- Promote establishments as a safe, social and enjoyable regardless of beverage choice
- Avoid promotions that encourage over-consumption
- Train servers on roles and responsibilities (how to prevent over service and sales to minors)
- Observe laws regarding server age
- Train servers on acceptable valid identifications



BEST PRACTICES

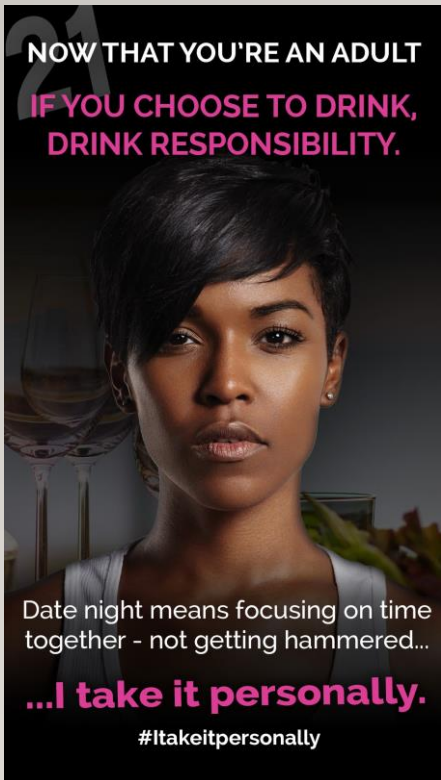
Suggestions for Responsible Hospitality



- Publicize alcohol policies in visible locations
- Make alcohol-free beverages available whenever alcohol beverages are served
- Ensure that employees do not consume alcohol beverages while working
- Arrange alternative transportation for impaired patrons

COMMUNITY OUTREACH PROGRAMS

- Point of sale materials and ID checking tools
- Training and business assessments
- Promote responsible service and deter youth alcohol access and over service *Trainings, Safety Alliance and Cops in Shops*
- Staying Connected to Communities
 - *Coalitions, Business Leagues, Community Meetings*



SECTION 5: DETECTING FALSE IDENTIFICATION

Acceptable ID's:

- State driver's license with picture
- State MVA ID card
- Military identification
- Passport
- Immigration card

An expired ID is not a valid ID!

It is the employee's responsibility to determine if a patron is 21.



DETECTING FALSE IDENTIFICATION

Low Grade Fake ID

- ✓ No such thing as a *US ID Card*
- ✓ States: Non-Government Photo ID
- ✓ Signed in Pen
- ✓ Uses “Secure Hologram”
- ✓ Most fake IDs will crease when bent



HOW OLD WOULD YOU GUESS?



HOW OLD WOULD YOU GUESS?



G-R-E-E-T

- G- Get ID into your hands
- R- Read the Information on ID
- E- Examine the ID vs. Carrier
- E- Employ tools to validate ID
- T- Test Individual

CARDING DURING COVID-19

COVID-19 presents unique challenges for ID'g customers. However, you are still legally responsible for preventing sales to minors.

HEIGHT

Check the height on the ID.

EYES

Check eye shape and color.

OPTIONAL REQUEST

If still unsure, and the customer is willing, ask them to step back a safe distance and lower the mask.

HAIRLINE

Compare forehead height and hairline.

EARS

Compare shape and position.

ASK QUESTIONS!

Confirm key information off ID.

When in doubt,
refuse the sale.
Selling to a minor
is illegal.



802
Spirits

VERMONT
DEPARTMENT OF LIQUOR AND LOTTERY
DIVISION OF LIQUOR CONTROL

DETECTING FALSE IDENTIFICATION

- Magnification
 - reveals microprint
- Over 21 ID design is horizontal
- Maryland ID



Birthday

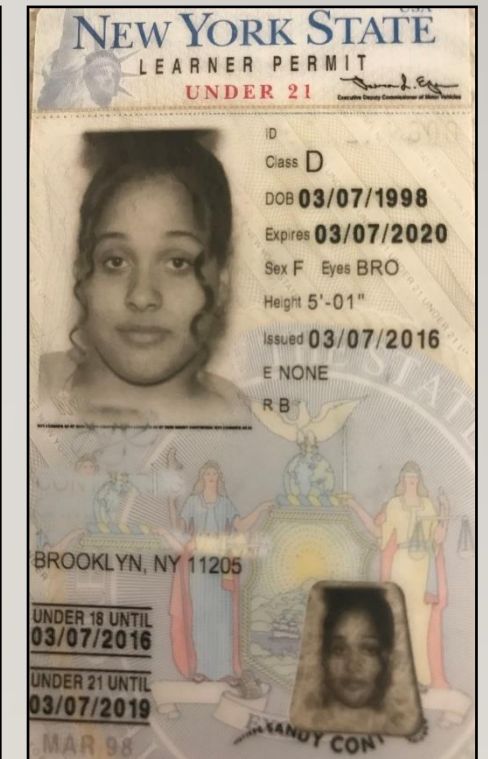


Microprint

Expiration

DETECTING FALSE IDENTIFICATION

- Vertical IDs are issued to residents under 21 years old.

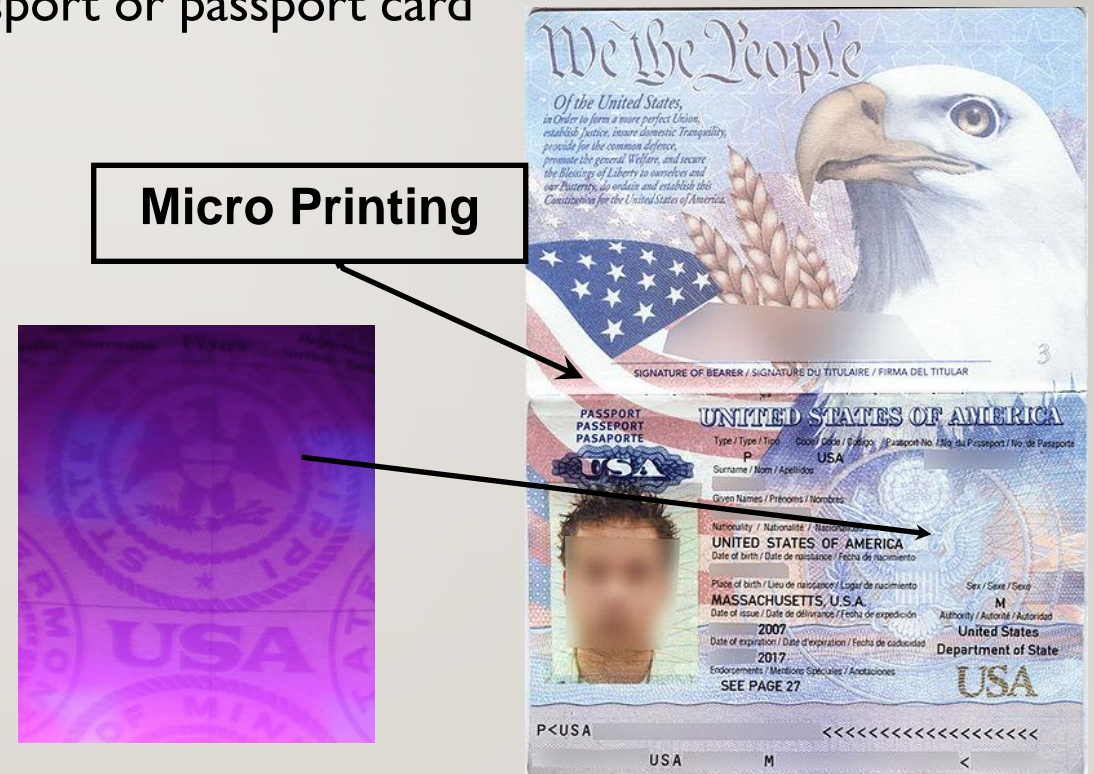


DETECTING FALSE IDENTIFICATION

- Military ID



- US Passport or passport card





THANK YOU!

Contact Information: **Montgomery County Alcohol Beverage Services (ABS)**
Division of Licensure, Regulation & Education
ABS@montgomerycountymd.gov

Licensing/Main Office:	240-777-1999
Licensing Manager, Jocelyn Rawat	240-777-1997
Compliance Manager, Ron Price	240-777-1985
Pre-Licensing, Melissa (Missi) Johns	240-777-1936
Community Outreach, Gabriela Monzon-Reynolds	240-777-1954

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BEFORE WE CONTINUE

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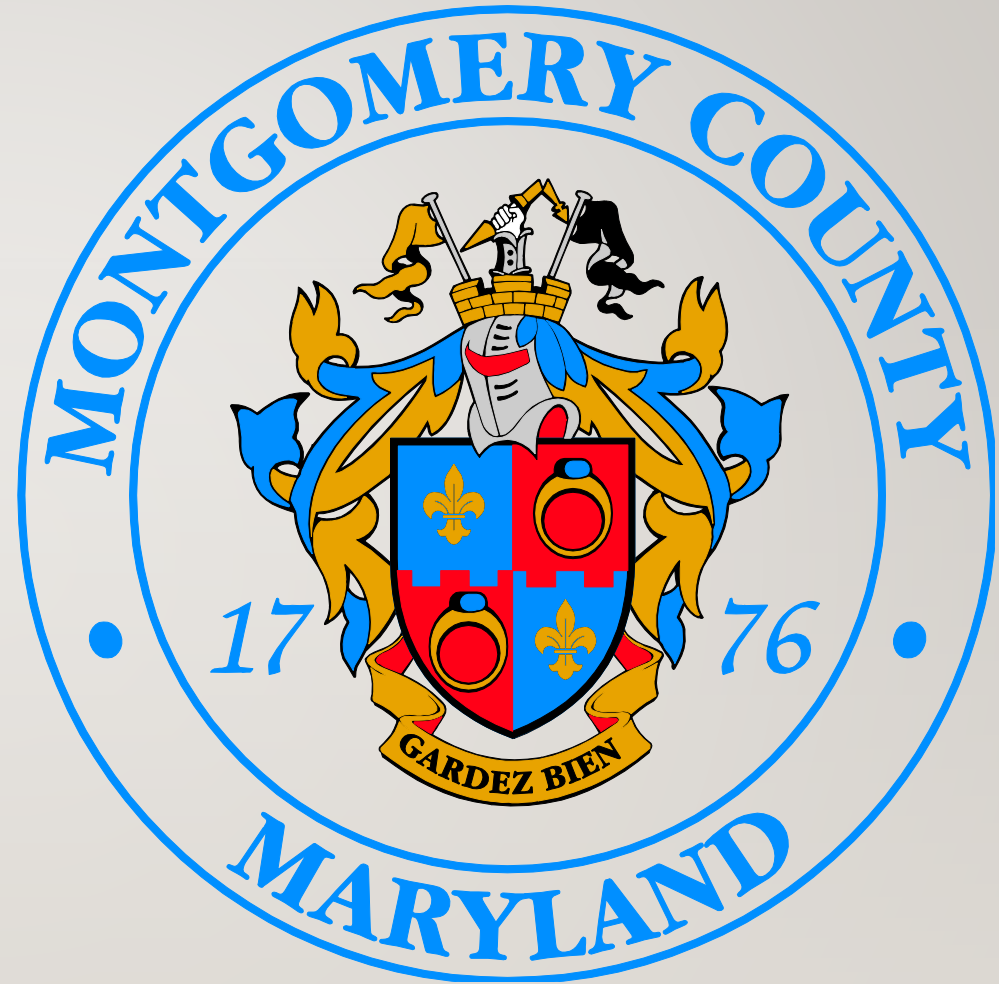
I. Ex. “Roddy Aguirre – ABS”

BEFORE YOU LEAVE

- Fill out the form to receive credit for attending this training.
- 3 Ways To Do It:
 - Click on the link in the chatbox
 - Type link below on your browser (Case Sensitive)
 - <https://bit.ly/3bFZ0wJ>
 - Scan this QR code



SECTION 6:
BOARD OF LICENSE
COMMISSIONERS
(LIQUOR BOARD)



BOARD OF LICENSE COMMISSIONERS

- ABS-LRE staff supports the County Executive appointed Board of License Commissioners (Liquor Board).
- Approve new and transfer licenses and approve one day licenses
- Any changes (including floor plans, seating capacity and hours of operation) must be submitted to the licensing office. Notify the licensing office in writing to let them know of changes.
- Annual Renewals
- Show-cause Hearings/violations
- Fine up to \$20,000, may suspend or revoke licenses.
 - If a license is revoked, the licensee may never again hold an alcohol license in Maryland

ANNUAL LICENSE RENEWAL

- All licenses to sell/serve alcohol in Montgomery County **expire at 12:00 a.m. on May 1 each year.**
- Applications must be received or postmarked by March 31. ABS suggests filing your application online by visiting:

<https://www.montgomerycountymd.gov/ABS/licensure/license/>
- **Two** fees are due annually:
 - A \$100 processing fee due at the time of renewal application submission.
 - The license fee (varies by license) due when the license is picked up.

SECTION 7:
HEARING &
QUALIFICATION PROCESS



PREPARING FOR THE HEARING

- All applicants and managers must attend the hearing. The hearings are currently being held virtually via Microsoft Teams due to COVID-19.
- Briefly describe the type of business, the business concept, and the uniqueness of the business.
- Be prepared to talk about any alcohol **experience** you may have had in Montgomery County (serving food and/or alcohol, bartending, managing a facility, owning a business, etc.).
- Be prepared to talk about any alcohol violations during this time

QUALIFYING QUESTIONS

- **How old** does a person need to be **to purchase** alcohol?
 - 21
- **How old** does a person need to be **to serve** alcohol in MD?
 - 18
- What are the **5** acceptable **forms of ID**?
 - State Issue Driver's License
 - State Issued (MVA) ID Card
 - Passport
 - Military ID
 - Immigration Card/Green Card

QUALIFYING QUESTIONS

- You will be asked to scan and send a **floor plan** via email prior to the hearing showing all areas of your facility, including entrances, individual seats, storage areas, bathrooms, kitchen, bar, outdoor cafes, exits and walls.
- You will be asked to briefly explain the **floor plan**.
- You will be asked to submit a copy of your **menu if you serve food**.
- You will be asked to take an **ID test** through Zoom prior to your hearing date. During the test, you will analyze 10 ID's for validity.

QUALIFYING QUESTIONS

- **You must maintain employee records and all alcohol receipts.**
- **Where** will you keep your employee **records and alcohol invoices/receipts**?
 - *On premise, unlocked, available at all times for the inspector or police*
- **How long** will you keep **employee records** after they are no longer working for you?
 - *One year after they leave, current employees will have records on premise at all times.*
- **How long** will you keep your alcohol **invoices/receipts**?
 - *Two years or longer*
- Where will you **purchase** your **alcohol**?
 - *Montgomery County Alcohol Beverage Services or one of the Montgomery County Liquor Stores*

QUALIFYING QUESTIONS

- Only for Class B License (Beer, Wine & Liquor) What is the maximum legal food to alcohol **ratio requirement**? What ratio do you expect to have?
 - **60% alcohol /40% food, (60/40) the higher the food sales the better**
- Have you attended the ALERT Class? How many staff members will you have attend the **ALERT Class**?
 - *Best practice is to have all staff trained*
- How many employees will you have? How many will be **Alcohol Awareness Certified**?
 - *Best practice is to have all or most staff trained.*
 - *Someone must be on premise at all times with this certification.*
- Are you aware of the high schools in the area of your business?

QUALIFYING QUESTIONS

- List your regular hours of daily operation (these may be changed)
- What policies and guidelines do you have for the sale of alcohol? What written policies do you have for your employees?
- Will you use promoters?
- Will you accept vertical IDs?



Horizontal = Over 21



Vertical = Under 21

TYPES OF INSPECTIONS

- Routine
 - **Licenses** – in a frame, under a glass, visible to the public.
 - **Alcohol Awareness Training** – a certified person shall be present on the Licensed premise, during the hours in which alcohol may be sold with a valid certificate.
 - **Beer, Wine, and Liquor Invoices** – on premises and available for inspection for 2 years.
 - **Employee Records** – on premises and available for inspection. Maintained for 1 year after employee leaves.

TYPES OF INSPECTIONS

- Compliance
 - Are you familiar with the Alcohol **Compliance Check Program**?
Tell us about it.
 - *The compliance check program is when the County sends in a youth who is under 21 years of age to try to buy alcohol in your establishment, with their own vertical ID.*
 - *First time violation is typically a \$1,000 fine for the business and a criminal citation issued to the person who made the alcohol sale.*

THE LIQUOR BOARD HEARING

- You have 30 days upon receipt of the Resolution to transfer your license and 2 years to pick up a new license.
- You have 30 days to turn in a transfer application from the purchase of a business.
- If you close for 10 consecutive days, you must notify the Board in writing or via email to avoid a 10-day notice leading to the expiration of the license
- Questions?

THE LIQUOR BOARD HEARING

- You will receive a cover letter and copy of the resolution with in 10 days via email.
- Following the hearing, call the Licensing Office 240-777-1999 to **schedule a final inspection** so you may then pick up your alcohol license.
- For the final inspection, you will need:
 - *Certificate of Use and Occupancy*
 - *Food Service Facility License*
 - *Alcohol Certificate*
 - *Maryland Sales and Use Tax License.*
 - *Traders License*

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